

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-5 and 7-12 are currently pending in this application. Claims 1, 9, and 10 are hereby amended. No new subject matter has been introduced.

Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

II. SUPPORT FOR AMENDED CLAIMS

Support for these amendments may be found on, for example, paragraphs [0055] and [0085], whereby:

[0055] The data separating portion 63 separates the data of the images B and C from the signals respectively transmitted from the digital video cameras 2 and 3 and received by the wireless communication module 120, and the separated data is outputted to the recording control portion 62 and the video decoder 40.

[0085] When notified of a plurality of images including the object, or when not notified of any images including the object, from the image recognizing and processing portion 66, the priority determining portion 67 notifies the image of the highest priority to the image compositing portion 61 and the recording control portion 62 based on information on a priority ranking inputted through the touch panel 90 or the input portion 100. The priority ranking is set as desired by the user inputting information thereon through the touch panel 90 or the input portion 100.

III. REJECTIONS UNDER 35 U.S.C. §102

Claims 1-5 and 7-12 were rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent Application No. 2002/0001468 to Kaku (hereinafter, merely “*Kaku*”).

IV. RESPONSE TO REJECTIONS

Independent claim 1 recites, *inter alia*:

“An imaging apparatus for taking and recording an image, characterized by comprising:

... a recording controller operable to control the recording of one or more selected images according to **a first result of an image recognition executed by the image recognizer on the image taken by the imager and the at least one received image, and a second result associated with a priority ranking applied to the image taken by the imager and the at least one received image;**

and

a data separation portion operable to separate two images when the at least one received image taken by and transmitted from the at least one external imaging apparatus comprises the two images, wherein the separated two images are received by the recording controller.” (Emphasis added)

Kaku does *not* disclose or suggest or predict an “imaging apparatus” that includes “a **recording controller** operable to control the recording of one or more selected images according to a **first result** of an image recognition executed by the image recognizer on the image taken by the imager and the at least one received image, and a **second result** associated with a priority ranking applied to the image taken by the imager and the at least one received image[,]” as recited in claim 1.

Moreover, *Kaku* also *fails* to disclose or suggest or predict an “imaging apparatus” that includes “a data separation portion [that] separate[s] two images when the at least one received image taken by and transmitted from the at least one external imaging apparatus comprises the two images, wherein the separated two images are received by the recording controller [,]” as further recited in claim 1.

According to paragraphs [0187]-[0188] of *Kaku*, FIG. 24 is an explanatory diagram for detecting a position of a person executed by the character detecting unit (330) provided in the image screening unit (300). In this case, the person carries a transmitter (192) transmitting radio waves. The transmitter (192) may be any kind of wireless communication means, for example, a cellular phone, an ID card transmitter, or a PHS. The receiver (370) receives the radio waves transmitted from the transmitter (192). The position of the person who has the transmitter (192) is detected by the strength of the received radio waves. Thus, when it is detected that the person is in a predetermined image capturing area, the camera control unit (340) prompts the camera system (40) to capture the image of the person in the predetermined image capturing area. FIG. 25 shows another example of detection by which the character detecting unit (330) detects a position of a person. The person has an ID card for passing the gate (390). The character information of the person is recorded on the ID card. The character detecting unit (330) detects ingress of the person when the ID card is inserted into an ID card slot provided on the gate (390). After a predetermined period since entry of the person, the camera control unit (340) prompts the camera system (40) to capture an image of a predetermined capturing area. The camera system (40) captures the image in which the person is caught.

Thus, *Kaku's* camera control unit (340) *merely* prompts the camera system (40) to capture the image of the person in the predetermined image capturing area, or prompts the camera system (40) to capture an image of a predetermined capturing area after a predetermined period since entry of the person. *Kaku's* image capture is not based on a “recording controller” that records one or more selected images according to both a “first result” and a “second result,” whereby the “first result” is based on “an image recognition executed by the image recognizer on the image taken by the imager and the at least one received image,” and the “second result” is “associated with a priority ranking applied to the image taken by the imager and the at least one received image[.]” Moreover, *Kaku* is also silent as to “a data separation portion [that] separate[s] two images when the at least one received image taken by and transmitted from the at least one external imaging apparatus comprises the two images.”

Therefore, for at least the above reasons, Applicant respectfully submits that claim 1 is patentable.

For reasons similar to those described above with regard to independent claim 1, independent claims 9 and 10 are also patentable.

Therefore, Applicant submits that independent claims 1, 9 and 10 are patentable.

V. DEPENDENT CLAIMS

The other claims are dependent from one of the independent claims discussed above, and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

Similarly, because Applicant maintains that all claims are allowable for at least the reasons presented hereinabove, in the interests of brevity, this response does not comment on each and every comment made by the Examiner in the Office Action. This should not be taken as acquiescence of the substance of those comments, and Applicant reserves the right to address such comments.

CONCLUSION

In view of the foregoing amendments and remarks, it is believed that all of the claims remaining in this application are patentable and Applicant respectfully requests early passage to issue of the present application.

In the event the Examiner disagrees with any of the statements appearing above with respect to the disclosures in the cited reference or references, it is respectfully requested that the Examiner specifically indicate those portion or portions of the reference or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,

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